



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup (BWSC)

TIER I TRANSITION CLASSIFICATION AND PERMIT STATEMENT

This Permit is Issued to:

- ☒ One Permittee
☐ More than One Permittee*

*A list of all Permittees is attached.

One Permittee:

Name of Organization: American Glue & Resin, Inc.

Permittee Name: American Glue & Resin, Inc.

Title or c/o: c/o Ms. Patricia Auterio

Street: 5 Marshall Road

City/Town: Stoneham State: MA Zip code: 02180

Telephone: - -

For DEP Use Only

Effective Date:

Expiration Date:

DEP Finding Concerning Tier Classification

☒ Transition Tier IA (BWSC04) ☐ Transition Tier IB (BWSC05) Permit No. 83081

This permit authorizes the performance of comprehensive remedial response actions at:

Disposal Site Number: 3-0168

Disposal Site Name: Adhesive Manufacturer

Street: School Street

City/Town: Middleton State: MA Zip code: 01949

The Permittee has 120 days from receipt of this Transition Permit to sign and submit the Transition Statement. This permit shall be effective upon the Department's receipt of the signed and dated Transition Statement.

This permit shall expire 5 years from its effective date.

Permit Conditions

- (1) The permittee(s) performing response actions pursuant to this Tier I Permit shall comply at all times with M.G.L. c. 21E, 310 CMR 40.0000, the terms and conditions of the permit and any other applicable federal, state or local law.
- (2) In every proceeding, the burden shall be on the Permittee to demonstrate compliance with the terms and conditions of a permit at all times.
- (3) Each Permittee shall comply with:
 - (a) submittal of a Class A, B or C Response Action Outcome Statement within five years of the effective date of the permit, unless otherwise provided in the permit;
 - (b) submittal of a copy of the signed and completed Transition Classification and Permit Statement to the Chief Municipal Officer(s) and the local boards of health for the communities where the disposal site is located.
 - (c) notification in writing to the Department:
 1. as required in 310 CMR 40.0500;
 2. upon gaining knowledge of any technical, financial or legal inability to perform any necessary response action, in accordance with 310 CMR 40.0172;
 3. upon a decision by a permittee who is performing response actions as an Other Person to not proceed as required by the permit; and
 4. of any change in the LSP of Record for the disposal site no later than ten days after the effective date of such change through the filing of a Minor Permit Modification by the permittee in accordance with 310 CMR 40.0725;
 - (d) compliance with:
 1. all applicable submittal requirements, including but not limited to, scopes of work, Status Reports, Completion Statements, Phase Reports, and RAOs;
 2. all requirements for record keeping and document retention, including but not limited to 310 CMR 40.0014, 310 CMR 40.0022 and 310 CMR 40.0023;
 3. the Notification Regulations, 310 CMR 40.0300, in the event of discovery of a new releases located at the disposal site, threat of release or Imminent Hazard;
 4. the management procedures for excavated soils and wastes and requirements for remedial air emissions set forth in 310 CMR 40.0030 and 310 CMR 40.0040; and
 5. all public involvement activities required by 310 CMR 40.1400 through 40.1406;
 - (e) inclusion of the Disposal Site Number and the permit number on documents submitted to the Department with respect to the disposal site;
 - (f) certification of documents submitted to the Department as required by 310 CMR 40.0009;
 - (g) evaluation of the need to perform Immediate Response Actions in accordance with 310 CMR 40.0400 as new or additional information about the disposal site is obtained;
 - (h) modification or cessation of any response action as necessary to maintain compliance with any permit condition or to prevent an actual or potential threat to health, safety, public welfare, or the environment;
 - (i) notification, orally or in writing, to the Department within seventy-two hours of obtaining knowledge of the need to modify or cease any response actions for the reasons in 310 CMR 40.0740(3)(h); provided that any such oral notification shall be confirmed by the permittee in writing within sixty days of such oral notice and any written notice shall include a Status Report prepared by an LSP; and timely remediation of any adverse impacts to health, safety, public welfare or the environment that result from the performance of response actions;

(j) at disposal sites where groundwater investigation is necessary, delineation of the vertical and horizontal extent of contamination, identification and confirmation of groundwater flow directions, identification of groundwater migration pathways, including but not limited to, the identification of possible partitioning of dissolved volatile organic compounds at the water table interface which may lead to vapor transport into subsurface structures, homes or other occupied or unoccupied buildings, and monitoring of groundwater wells, discharges and/or other monitoring points in a manner which provides for the timely development or representative information about conditions and changes in conditions at the disposal site;

(k) acquisition of all required federal, state and local permits;

(l) proper operation and maintenance of all treatment, storage, abatement or control systems and of all equipment required to continue or complete response actions;

(m) authorization for personnel and authorized agents of the Department to enter, at reasonable times and upon the presentation of credentials, any premises owned or controlled by the permittee for the purpose of investigating, sampling, or inspecting any records, conditions, equipment, practice or property relating to response actions at the disposal site, or protecting health, safety, public welfare, or the environment; and

(n) notification upon a change of the Primary representative as required by 310 CMR 40.0703(7), if one is designated.

(4) A Tier I Permit does not grant any property rights or exclusive privileges, nor does it authorize any injury to private property or invasion of property rights.

Special Conditions:

Each Permittee shall comply with all Special Conditions if attached to this permit in Attachment A. Special Conditions are included within this permit:

☐

Yes

☒

No

DEP Authorization

Issued by the Department of Environmental Protection:

Name (Print): STEPHEN M. JOHNSON Date of Issuance:

Signature

Stephen M. Johnson

DEC 20 1994

Notice of Appeal Rights

Any person aggrieved by this permit decision may request an adjudicatory hearing within 21 days of the date of issuance (the postmark date of this Permit as described in 310 CMR 40.0008) of this permit, if the Department has imposed special conditions (as set forth in Attachment A) without the Permittees consent or agreement, in accordance with 310 CMR 40.0050.

Primary Representative and LSP Information

Primary Representative (only applicable if there is more than one Permittee) For more than one Permittee, a Primary Representative can be designated and authorized. If you are designating a Primary Representative provide the following information:

☐ Check if Primary Representative is also a Permittee.

Name of Organization: _____
Primary Representative Name: _____
Title: _____
Street: _____
City/Town: _____ State: _____ Zip code: _____
Telephone: _____ - _____ - _____

Primary Representative Certification:

I certify under the penalties of law that I am fully authorized to act on behalf of all persons conducting response actions under this permit for the following purposes:

- a) to receive oral and written correspondence from DEP with respect to this permit;
- b) to receive oral and written correspondence from DEP with respect to the performance of response actions upon issuance of a Tier I permit; and
- c) to receive any statement of fee required by 310 CMR 4.03(3) under this Tier I permit.

I am aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for wilfully submitting false, inaccurate, or incomplete information.

Name (Print): _____
Position or Title: _____
Signature: _____
Date: _____

Note: The Primary Representative for more than one Permittee will receive the annual compliance assurance fee statement for the disposal site.

LSP Information

Provide the following information if an LSP has been engaged or employed to submit LSP Opinions concerning response actions that were approved prior to October 1, 1993.

Name (Print): _____
License Number: _____

Transition Statements

Note: Each Permittee must complete this section. For disposal sites with more than one Permittee, make copies of this section, have each Permittee complete this information, and submit all copies to the Department.

Check one of the following to indicate your response and then sign the appropriate paragraph (1 through 3) and the Certification of Submittal:

- ☐ I accept the Transition Permit (sign "1")
- ☐ I do not accept the Transition Permit and I am attaching a Major Permit Modification application (sign "2")
- ☐ I do not accept the Transition Permit and I intend to conduct response actions which were approved by the Department prior to October 1, 1993. (sign "3-A")
- ☒ I do not accept the Transition Permit and I do not intend to conduct response actions which were approved by the Department prior to October 1, 1993 (sign "3-B").

1. Transition Permit Acceptance Statement

I accept and agree to conduct all response actions pursuant to the terms and conditions of any and all Department approvals that are in effect as of October 1, 1993 as shown in **Attachment B1**. I agree to conduct all future response actions at this disposal site which are not subject to an existing Department approval in accordance with this Permit and the provisions of 310 CMR 40.0000, including response actions with approvals pending on October 1, 1993 and subsequently approved and listed in **Attachment B2**. I believe that I have the technical, financial, and legal ability to proceed with response actions at this site in accordance with M.G.L. c. 21E, 310 CMR 40.0000 and other applicable requirements. I am aware of the requirements set forth in 310 CMR 40.0172 for notifying the Department in the event that I am unable to proceed with such response actions.

Name (Print): _____

Position or title: _____

Signature: _____

Date: _____

2. Transition Statement (if not accepting Transition Permit and attaching Major Permit Modification application).

I do not accept the enclosed Transition Permit, since the disposal site, in the Opinion of an LSP may be reclassified as Tier _____ (Insert Tier IB, IC, or Tier II, whichever is applicable). I am attaching a Major Permit Modification application pursuant to 310 CMR 40.0707.

Name (Print): _____

Position or title: _____

Signature: _____

Date: _____

3. Transition Statement if not accepting Transition Permit and providing statement regarding future response actions at the disposal site.

3-A. RP/PRP/Other Person intends to conduct response actions approved by DEP prior to October 1, 1993.

I do not accept the enclosed Transition Permit, however, I intend to conduct response actions which were approved by the Department prior to October 1, 1993. I have attached and incorporated within this Statement a schedule for when this work will be completed and a Status Report indicating whether one or more Temporary and/or Permanent Solutions have been achieved or will be achieved at the disposal site. including an LSP Opinion regarding the completion of response actions to date and the response actions remaining in order to achieve a Temporary or Permanent solution at the disposal site. -

Name (Print): _____

Position or title: _____

Signature: _____

Date: _____

3-B. RP/PRP/Other Person does not intend to conduct response actions approved by DEP prior to October 1, 1993.

I do not accept the enclosed Transition Permit and do not intend to conduct response actions including any response actions approved by the Department prior to October 1, 1993. I have attached an explanation of why I will not continue with response actions at the disposal site including, where appropriate, an explanation of any technical, financial, or legal inabilities that preclude me from undertaking response actions at the disposal site as outlined in 310 CMR 40.0172. I have attached and incorporated within this Statement, a Status Report indicating whether one or more Temporary and/or Permanent Solutions have been achieved or will be achieved at the disposal site, including an LSP Opinion regarding the completion of response actions to date and the response actions remaining in order to achieve a Temporary or Permanent Solution at the disposal site.

Name (Print): _____

Position or title: _____

Signature: _____

Date: _____

Cheryl Auerio
Operations Manager
[Signature]
8/20/95

X Certification of Submittal (The above permittee must also sign the following certification)

I certify under the penalties of law that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this certification, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained herein is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for wilfully submitting false, inaccurate or incomplete information.

Name (Print): _____

Position or title: _____

Signature: _____

Date: _____

[Signature]
Operations Manager
Cheryl Auerio
8/20/95

This Attachment will be completed by DEP

ATTACHMENT A TO PERMIT NO. 83081

Each Permittee shall comply with the following special conditions:

☒ Check here if not applicable to this permit.

This Attachment will be completed by DEP

ATTACHMENT B TO PERMIT NO. 83081

B1. The following Department approvals were in effect as of October 1, 1993:

☒ Check here if not applicable to this permit.

B2. The following response actions, which were pending as of October 1, 1993, and are now approved by DEP and in effect under this permit.

☒ Check here if not applicable to this permit.
